

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/771,329

Filing Date: January 26, 2001

Applicant: Theresa M. Welbourne

Group Art Unit: 2143

Examiner: J. Bret Dennison

Title: WEB-BASED SYSTEM AND METHOD FOR
ORGANIZATIONAL PERFORMANCE ANALYSIS

Attorney Docket: 4849-000001

Commissioner for Patents
P.O. Box 1450
Washington, D.C. 222313-1450

DECLARATION UNDER 37 C.F.R. §1.131

Sir:

In compliance with 37 C.F.R. §1.131, the purpose of this Declaration is to establish completion of the claimed invention of the above-referenced patent application (hereinafter "the Subject Application") in the United States, at a date prior to November 17, 2000, which, on information and belief, is the effective application date of U.S. Patent Application No. 2002/0120494 A1 entitled "Method and System for Gathering Employee Feedback" by Altemuehle, et al. (hereinafter "the Application"). The Application was cited by the Examiner in an Office Action dated January 12, 2006 for the Subject Application.

I, Theresa M. Welbourne, hereby declare the following:

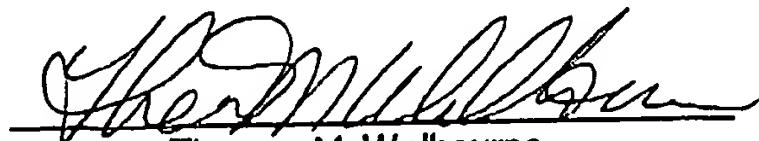
1. That I am the sole named inventor for the claimed subject matter of the subject application and that I was an employee of Valour, Inc. and was under an obligation to assign the above-identified application to Valour, Inc. at the time the invention was made, although I now am employed by eePulse, Inc.

2. That the subject invention as described by the claims and described in the attached exhibits was reduced to practice. As evidence, please find the enclosed documents labeled Exhibits A, B and C with dates blacked out.
3. That documents labeled Exhibits A, B and C, are known to me to be true copies which, based on information and belief, evidences a conception and reduction to practice in the United States from prior to the above-noted effective application date of the Altemuehle Application.
4. That prior to November 17, 2000 I had conceived, in the United States, the subject matter claimed in the subject application.
5. That the attached copy of a flow chart (attached as Exhibit A to this Declaration and with the dates blocked out), is known to me to be a true copy which, based on information and belief, evidences such conception in the United States prior to the above-noted effective application date of the Altemuehle Application.
6. That the Invention Disclosure (Exhibit B), is known to me to be a true copy which, based on information and belief, evidences such conception in the United States prior to the above-noted effective application date of the Altemuehle Application.
7. The disclosures of exhibit A and B were sent to Patent Counsel prior to the effective application filing date of the Altemuehle Application, which authorized a patent application be filed based upon the Invention Disclosure.

8. As evidenced by the screen shot of Exhibit C, the invention was fully reduced to practice and fully beta tested prior to November 17, 2000.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

Date 7-12-06

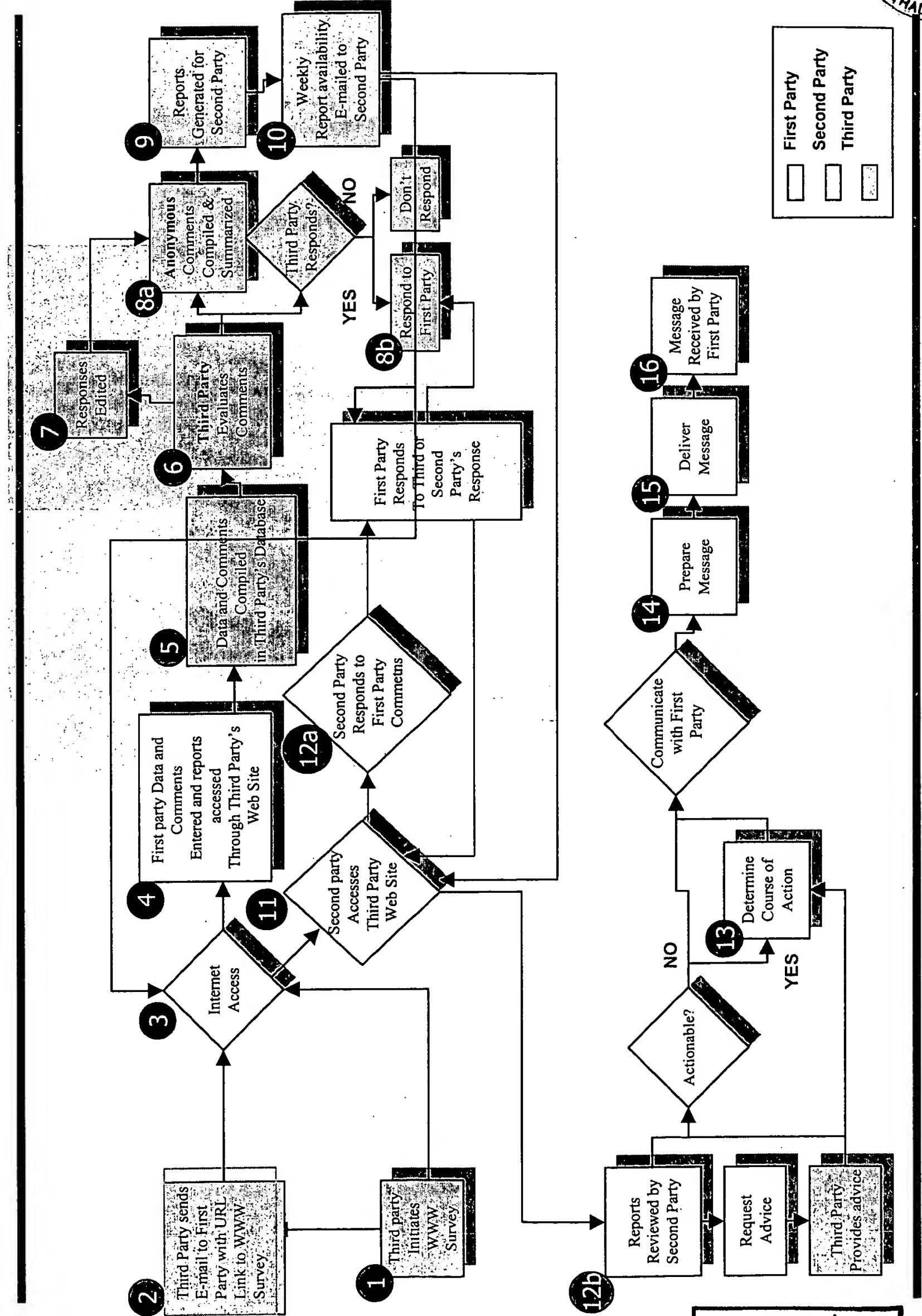


Theresa M. Welbourne

The eePulse Patent Application Process

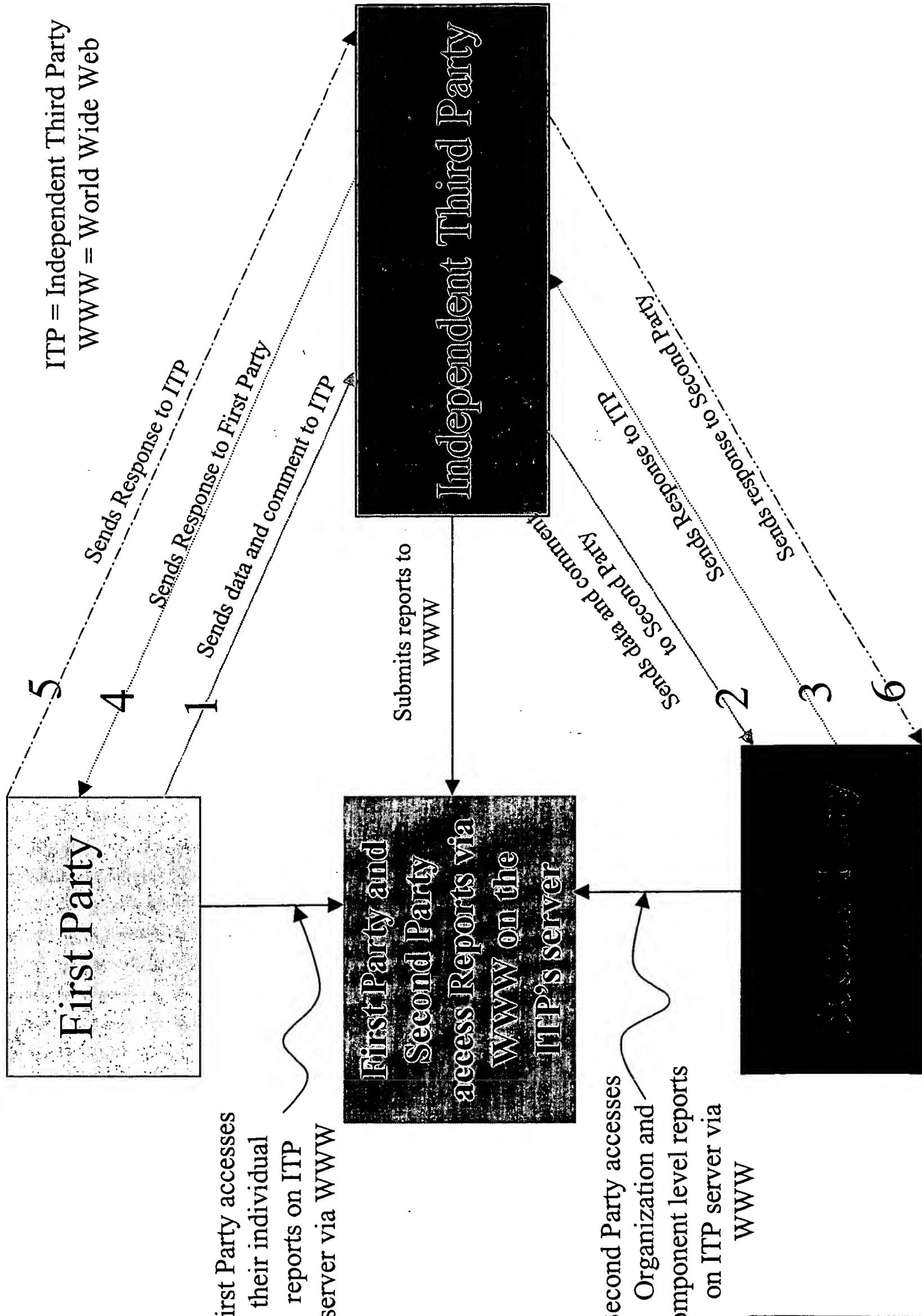
Confidential

1-8 items of Patent claims



Confidential

eePulse, Inc. Patent Application Process Model



EePulse, Inc.

Patent Application - summary

CONFIDENTIAL**1. One question World Wide Web survey to assess the health of an organization.**

One question survey conducted via the World Wide Web or an Intranet that measures the health of an organization by measuring how energized an individual member of the organization is to perform their organizational duties. This question correlates to an individual's pace of work, efficiency of work and job/duty satisfaction.

2. Process of measuring the within-person change

The process of measuring the within-person change over time of an individual's responses via World Wide Web or Intranet surveys to evaluate past actions or projected outcomes.

3. First party submitting comments to second party through a third party via World Wide Web— commenter anonymous to second party, third party knowing first party and second party.

The process of a first party submitting comments to a second party through an independent third party (via intranets or the World Wide Web) and the third party passing on the information to the second party in a form that keeps the first party commenter anonymous to the second party, but with the independent third party retaining the identification and data of the commenter on the third party's server.

4. Second party responding to first party's comments in 3 above.

The process of a second party responding to the first party's comments to the second party electronically through an independent third party (via intranets or the World Wide Web) keeping the commenter anonymous to the responder, but not the responder anonymous to the commenter, and with the independent third party retaining the identification and data of the commenter and the responder on the third party's server.

5. First party responding to second party's response in 4 above.

The process of a first party commenter responding to a second party responder electronically through an independent third party (via intranets or the World Wide Web) keeping the commenter anonymous to the responder, and with the independent third party retaining the identification and data of both the commenter and responder on the third party's server.

6. First party responding to second party's response with both first and second party anonymous to each other, but not to third party.

The process of a first party commenter responding to a second party responder electronically through an independent third party (via intranets or the World Wide Web) keeping both the commenter and responder anonymous to each other, and

- with the independent third party retaining the identification and data of both the commenter and responder on the third party's server.
7. **First party responding to second party's response with both first and second party anonymous to all three parties. Data retained on third party's server.**
The process of a first party submitting comments to a second party through an independent third party (via intranets or the World Wide Web) and the second party responding to the individual through the third party keeping the commenter and responder anonymous to all parties, but with the independent third party tracking the comments from party 1 and party 2 allowing for on-going anonymous dialogue between the two parties, and with the independent third party retaining data of both the commenter and responder on the third party's server.
 8. **First party commenting and receiving feedback and/or coaching from third party.**
The process of a first party submitting comments directed to a second party through an independent third party (via intranets or the World Wide Web) and the third party passing on the information to the second party in a form that keeps the commenter anonymous to the second party, and with the independent third party responding to and coaching the first party regarding his comments, allowing for on-going open dialogue between the first party and the third party, and with the independent third party retaining identification and data of both the commenter and responder on the third party's server.

9. **Survey questions asked at any component level.**
World Wide Web based survey that allows for different survey questions to be asked at any component level and then that component can be rolled up to succeeding higher levels for data analysis and reporting purposes.
10. **World Wide Web process where survey data results are made available to and accessed by managers and employees on the web showing results at any component level the employee/manager has been granted access to.**
11. **A computerized expert system that categorizes comments from first second or third parties by theme and identifies the frequency of the theme over all commenters.**
12. **A computerized expert system that provides a list of best possible responses to specific comments.**
A computerized expert system that provides a list of best possible responses to specific comments from first second or third parties ranked by most recent, most frequent, most relevant or highest correlation to the comment's theme. The responses may come from prior actual responses made to comments or from comments submitted by "experts".

13. Management development using organization specific data generated from one or more of the processes in 1-8 above.

A method of using the data and comments from 1-8 above to train managers on how to more effectively manage personnel. This is done by facilitating the process where the managers develop and analyze the best methods for the specific organization to respond to comments submitted by first parties to either the second parties within or third parties associated with the organization.

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<< BACK						HELP	MEASURFCOM
VIEW REPORTS							

View:	All Company
Group:	All Company
Report Types:	<input checked="" type="radio"/> Pulse Survey Specific <input type="radio"/> Monthly <input type="radio"/> Quarterly
Period:	Second Beta Test

Activities

[Executive Summary](#)[Response Rates](#)[Event Log](#)[Action Planning](#)

Questions

#	Question	Mean	Analysis	AE	Reports
1	What is your pulse? (enter a number from 1 to 10 using Pulse scale on left)	5.75			
2	Please take time to tell us about factors affecting your work. What things are working well? If there are obstacles getting in your way, let us know. And, if you have suggestions for improvement, please pass on your ideas.				
3	How fast did the page load?	3.11			
4	How difficult was the logon process?	3.05			
5	Please list any problems you may have had using or getting to the system.				
6	What do you like about the new system - what don't you like?				